(Name) Harry L Redd JR.

(Address) 220 W. C. St.

(City, State, Zip) San Diego. Ca. 92101

(CDC Inmate No.) 08220-298 F.B.O.P.

2254 ___ 1983 ✓
FILING FEE PAID
Yes ___ No ✓
IFP MOTION FILED
Yes ✓ No ___
COPIES SENT TO
Court ___ ProSe ___

FILED
AUG 27 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY ___ DEPUTY

United States District Court
Southern District of California

(Enter full name of plaintiff in this action.)

Harry Lee Redds JR., Plaintiff,

v.

Doctor Lacy Metro. Corr. Center, Medical Dept.
Doctor Grabbash GEO Medical Dept.
Nurse Hall, GEO,
Warden Jarnecke M.C.C.,
Ms. Trautmann GEO,
(Enter full name of each defendant in this action.)
Counselor Cassel, GEO. Defendant(s).

'08 CV 1577 DMS NLS

Civil Case No. ___
(To be supplied by Court Clerk)

Complaint Under the Civil Rights Act 42 U.S.C. § 1983

A. Jurisdiction

Jurisdiction is invoked pursuant to 28 U.S.C. § 1343(a)(3) and 42 U.S.C. § 1983. If you wish to assert jurisdiction under different or additional authority, list them below.

B. Parties

1. Plaintiff: This complaint alleges that the civil rights of Plaintiff, Harry Lee Redds JR (print Plaintiff's name), who presently resides at 220 W. C St San Diego. Ca. (mailing address or place of confinement), were violated by the actions of the below named individuals. The actions were directed against Plaintiff at Metropolitan Correctional Center GEO - Dentention Center (institution/place where violation occurred) on (dates) 4/17/08 (Count 1), 7/11/08 (Count 2), and 7/15/08 to Present (Count 3)

2. Defendants: (Attach same information on additional pages if you are naming more than 4 defendants.)
Doctor Lacy, Doctor Grabbash, Warden Jarnecke, Ms Hall, Mrs. Trautmann, Ms. Cassel & GEO

§ 1983 SD Form
(Rev. 5/98)

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CR

Defendant Doctor Lacey (name) resides in San Diego. (County of residence),
and is employed as a Head Doctor at. M.C.C. (defendant's position/title (if any)). This defendant is sued in his/her ☑ individual ☑ official capacity. (Check one or both.) Explain how this defendant was acting under color of law: she refused to issue treatment, or see the plaintiff in regards to serious medical issues, refused to issue proper medicatios, because of cost of treatment

Defendant Dr. Grabbash ? (name) resides in SAn Diego (County of residence),
and is employed as a G.E.O. ~~[illegible]~~ Doctor (defendant's position/title (if any)). This defendant is sued in his/her ☑ individual ☑ official capacity. (Check one or both.) Explain how this defendant was acting under color of law: refused proper treatment, for serious medical needs, and chronic pain problems, refused treatment, because of cost.

Defendant MS. Hall (name) resides in San Diego (County of residence),
and is employed as a Nurse RN (defendant's position/title (if any)). This defendant is sued in his/her ☑ individual ☑ official capacity. (Check one or both.) Explain how this defendant was acting under color of law: see allowed the plaintiff to suffer, by not conducting proper medical proceedure.

Defendant Warden Jarnecke (name) resides in SAn Diego (County of residence),
and is employed as a Warden at M.CC. (defendant's position/title (if any)). This defendant is sued in his/her ☐ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting under color of law: She was fully aware of the serious medical needs, and didnt enforce her position to ensure proper medical care was given.

Also additional defendants

Medical Admin. Mrs Trautmann. and Counselor Conspiered ~~a~~against the plaintiff.

C. Causes of Action (You may attach additional pages alleging other causes of action and the facts supporting them if necessary.)

Count 1: The following civil right has been violated: right to Medical Care, Freedom From Cruel and unusual punishment. (E.g., right to medical care, access to courts, due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 1. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, *by name*, did to violate the right alleged in Count 1.] upon being brought to M.C.C. to be Housed. I saw intake medical persanal, who refused to accept me, due to the serious medications I was taken for serious medical needs. I was forced to go to Alvarado Parkway institute, to detox From medication, than brought back in pain to M.C.C. where medical treatment was refused to be given. I informed M.C.C. medical Dept. of Serious medical concerns and outside Care that I was presently under. I have Hep C. Neck injuries, right shoulder, liver damage, and Chronic pain problems. From Past Multiple serious injuries. Doctor Lacy order some test, that showed some of my medical needs, but still refused to treat. From 4-17-08 to 7-11-08, than I was transferred to GEO. I Also inform the Medical Dept. GEO. Nurse Hall informed me, I would have to suffer and she wasn't concerned with my serious medical needs. After weeks of severe pain, I fell-out in Court and was taken to Alvarado Hosp., returned with medications, strong enough to relieve the pain, But Doctor Grabbash refused to give it to me. I informed her of my Pain levels where very high, that I had a tumer in my side my C-3-4-45-5-6 was injured. Along with the need for treatment for Hep C, and liver damage. which I never recieved, and still going through neglect, and refusal to be seen, or obtain records. Also Warden Jarneke was made aware of All this, before being transferred and out right ignored.

Count 2: The following civil right has been violated: Due Process, Deliberate indifference Access to Courts (E.g., right to medical care, access to courts, due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 2. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, *by name*, did to violate the right alleged in Count 2.]

If Doctor Lacy and Grabbash had followd proper process in medical care, the plaintiff would not be suffering. If defendants had not shown deliberate indiffence, and lack of care, the plaintiff would have recieved proper care.

If proper proceedures where followed regardless to Admin. Policies, the plaintiff would not be suffering.

Counselor Cassel dilebeuately refused legal copies, legal indigent mail and documents, conspired with Medical Admin. Ms Trautmann, to stop grievance proceedure. + care

Ms. Trautmann deliberately lied to plaintiff, about getting outside records, or ensure that plaintiff received proper medical care.

Warden Janecke, deliberatley refused to ensure that Plaintiff recieved proper care, they failed to Follow due Process, and deliberately indifferred, while in her custody.

Count 3: The following civil right has been violated: Discrimination Deliberate indifferrence (E.g., right to medical care, access to courts, due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 3. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, *by name*, did to violate the right alleged in Count 3.]

Doctor Lucy refused to treat plaintiff, because of the cost of the treatment, she showed discrimination because the plaintiff needed stronger medications, she refused to treat. Near death policy

Doctor Grabbash shows discrimination towards, plaintiff because of serious needs medically, and also the cost of treatment, so she refused to further treat the plaintiff or see that he recieved proper treatment. Near death policy

Medical Admin. Mrs. Trautmann neglected the needs of the plaintiff, and failed to answer grievances in regards to recieving medical care, after she and medical Dept. where made aware of medical needs.

Nurse Hall has continuely shown negitive behavior and uncaring professionalism towards plaintiff. The medical staff shows incompentance. And has ensured hardship, pain ; suffering

D. Previous Lawsuits and Administrative Relief

1. Have you filed other lawsuits in state or federal courts dealing with the same or similar facts involved in this case? ☐ Yes ☑ No.

If your answer is "Yes", describe each suit in the space below. [If more than one, attach additional pages providing the same information as below.]

(a) Parties to the previous lawsuit:
Plaintiffs: ______

Defendants: ______

(b) Name of the court and docket number: ______

______.

(c) Disposition: [For example, was the case dismissed, appealed, or still pending?] ______

______.

(d) Issues raised:

______

______

______

______.

(e) Approximate date case was filed: ______.

(f) Approximate date of disposition: ______.

2. Have you previously sought and exhausted all forms of informal or formal relief from the proper administrative officials regarding the acts alleged in Part C above? [E.g., CDC Inmate/Parolee Appeal Form 602, etc.] ? ☑ Yes ☐ No.

If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought.

I forwarded serveral grievances that went unanswered by ~~grievnace~~ grievance officer, who later informed me he had talked to those I had grieved and the situations would be taken care of. I never recieved the answers to theere grievances, and feel some kind of cover up is at play. I've been denied legal copies, indigent legal mail as well and law library while in Seg

E. Request for Relief

Plaintiff requests that this Court grant the following relief:

1. An injunction preventing defendant(s): from moving Plaintiff ~~being moved~~ from GEO or transferred if Sentenced, So Complaint can be heard, and FluMotions will be timely, that Plaintiff goes to outside Doctor For Care & treatment and no retalitory practice by GEO or M.C.C., F.B.O.P., Full legal Access
2. Damages in the sum of $ 80 million dollars
3. Punitive damages in the sum of $ 10 million dollars
4. Other: mental Anguish Pain & Suffering 10 million.

F. Demand for Jury Trial

Plaintiff demands a trial by ☑ Jury ☐ Court. (Choose one.)

G. Consent to Magistrate Judge Jurisdiction

In order to insure the just, speedy and inexpensive determination of Section 1983 Prisoner cases filed in this district, the Court has adopted a case assignment involving direct assignment of these cases to magistrate judges to conduct all proceedings including jury or bench trial and the entry of final judgment on consent of all the parties under 28 U.S.C. § 636(c), thus waiving the right to proceed before a district judge. The parties are free to withhold consent without adverse substantive consequences.

The Court encourages parties to utilize this efficient and expeditious program for case resolution due to the trial judge quality of the magistrate judges and to maximize access to the court system in a district where the criminal case loads severely limits the availability of the district judges for trial of civil cases. Consent to a magistrate judge will likely result in an earlier trial date. If you request that a district judge be designated to decide dispositive motions and try your case, a magistrate judge will nevertheless hear and decide all non-dispositive motions and will hear and issue a recommendation to the district judge as to all dispositive motions.

You may consent to have a magistrate judge conduct any and all further proceedings in this case, including trial, and the entry of final judgment by indicating your consent below.

Choose only one of the following:

☐ Plaintiff consents to magistrate judge jurisdiction as set forth above.

OR

☑ Plaintiff requests that a district judge be designated to decide dispositive matters and trial in this case.

I declare under the penalty of perjury that the foregoing is true and correct.

8/18/08
Date

Harry L. Bedolla Jr.
Signature of Plaintiff

JS44

(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

2254 1983
FILING FEE PAID
Yes ___ No ✓
IFP MOTION FILED
Yes ✓ No ___
COPIES SENT TO
Court ___ Pro se ___

FILED
AUG 27 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY RM DEPUTY

I (a) PLAINTIFFS

Harry Lee Redds, Jr.

DEFENDANTS

Lacy, et al

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF San Diego
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Harry Lee Redds, Jr.
220 West C Street
San Diego, CA 92101
08220-298

ATTORNEYS (IF KNOWN)

'08 CV 1577 DMS NLS

II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY)

☐ 1 U.S. Government Plaintiff
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)
(For Diversity Cases Only)

	PT	DEF		PT	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated or Principal Place of Business in This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated and Principal Place of Business in Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

42 U.S.C. 1983

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT
☐ 110 Insurance
☐ Marine
☐ Miller Act
☐ Negotiable Instrument
☐ 150 Recovery of Overpayment &Enforcement of Judgment
☐ 151 Medicare Act
☐ 152 Recovery of Defaulted Student Loans (Excl. Veterans)
☐ 153Recovery of Overpayment of Veterans Benefits
☐ 160 Stockholders Suits
☐ Other Contract
☐ 195 Contract Product Liability

REAL PROPERTY
☐ 210 Land Condemnation
☐ 220 Foreclosure
☐ 230 Rent Lease & Eiectmant
☐ 240 Tort to Land
☐ 245 Tort Product Liability
☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
☐ 310 Airplane
☐ 315 Airplane Product Liability
☐ 320 Assault, Libel & Slander
☐ 330 Federal Employers' Liability
☐ 340 Marine
☐ 345 Marine Product Liability
☐ 350 Motor Vehicle
☐ 355 Motor Vehicle Product Liability
☐ 360 Other Personal Injury

PERSONAL INJURY
☐ 362 Personal Injury- Medical Malpractice
☐ 365 Personal Injury - Product Liability
☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
☐ 370 Other Fraud
☐ 371 Truth in Lending
☐ 380 Other Personal Property Damage
☐ 385 Property Damage Product Liability

CIVIL RIGHTS
☐ 441 Voting
☐ 442 Employment
☐ 443 Housing/Accommodations
☐ 444 Welfare
☐ 440 Other Civil Rights

PRISONER PETITIONS
☐ 510 Motions to Vacate Sentence Habeas Corpus
☐ 530 General
☐ 535 Death Penalty
☐ 540 Mandamus & Other
☒ 550 Civil Rights

FORFEITURE/PENALTY
☐ 610 Agriculture
☐ 620 Other Food & Drug
☐ 625 Drug Related Seizure of Property 21 USC881
☐ 630 Liquor Laws
☐ 640 RR & Truck
☐ 650 Airline Regs
☐ 660 Occupational Safety/Health
☐ 690 Other

LABOR
☐ 710Fair Labor Standards Act
720 Labor/Mgmt. Relations
☐ 730 Labor/Mgmt. Reporting & Disclosure Act
☐ 740 Railway Labor Act
☐ 790 Other Labor Litigation
☐ 791 Empl. Ret. Inc. Security Act

BANKRUPTCY
☐ 422 Appeal 28 USC 158
☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
☐ 820 Copyrights
☐ 830 Patent
☐ 840 Trademark

SOCIAL SECURITY
☐ 861 HIA (13958)
☐ 862 Black Lung (923)
☐ 863 DIWC/DIWW (405(g))
☐ 864 SSID Title XVI
☐ 865 RSI (405(g))

FEDERAL TAX SUITS
☐ 870 Taxes (U.S. Plaintiff or Defendant)
☐ 871 IRS - Third Party 26 USC 7609

OTHER STATUTES
☐ 400 State Reappointment
☐ 410 Antitrust
☐ 430 Banks and Banking
☐ 450 Commerce/ICC Rates/etc.
☐ 460 Deportation
☐ 470 Racketeer Influenced and Corrupt Organizations
☐ 810 Selective Service
☐ 850 Securities/Commodities Exchange
☐ 875 Customer Challenge 12 USC
☐ 891 Agricultural Acts
☐ 892 Economic Stabilization Act
☐ 893 Environmental Matters
☐ 894 Energy Allocation Act
☐ 895 Freedom of Information Act
☐ 900 Appeal of Fee Determination Under Equal Access to Justice
☐ 950 Constitutionality of State
☐ 890 Other Statutory Actions

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

☒ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appelate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT: ☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23 **DEMAND $**

Check YES only if demanded in complaint:
JURY DEMAND: ☐ YES ☐ NO

VIII. RELATED CASE(S) IF ANY (See Instructions): JUDGE Docket Number

DATE 8/27/2008 ~~SIGNATURE OF ATTORNEY OF RECORD~~ RMiller

CR